

THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF WEST TISBURY
ZONING BOARD OF APPEALS

DECISION OF THE BOARD OF APPEALS ON THE PETITION OF Keith Bassett, filed with the West Tisbury Town Clerk on July 28, 2021 ZBA Case File 2021-20

Applicant: Keith Bassett, PO Box 968, West Tisbury, MA 02575

Property Owner: Linda R. Bassett Benoit whose title to the property is recorded at the Dukes County Registry of Deeds and described in Book 1251-907, dated August 4, 2011.

Agent: N/A

Locus: 1070 State Rd., West Tisbury, MA, Assessors Map 32 Lot 90, VR district, 1.00 acre.

Plans: 1) Site Plan prepared by Schofield, Barbini and Hoehn, Inc. dated August 4, 2003 (updated by owner).
2) Floor plan and elevations N/A
All plans on file at the Zoning Board of Appeals office.

Notice: Certified abutters notified on June 30, 2021 and legal notice advertised in the Martha's Vineyard Times on July 1st and July 8th 2021.

Hearing & Request: A Public Hearing was held on July 15, 2021 on an Application for a Special Permit from Keith Bassett to amend a Special Permit and to rent five (5) bedrooms at what will be called the West Tisbury Inn located in the Historic District at 1070 State Rd., West Tisbury, Map 32 Lot 90, VR District under Section 8.5-7 and 9.3-3 of the Zoning Bylaws.

Requirement: Section 8.5-7 and 9.3-3 of the West Tisbury Zoning Bylaws.

Present: Larry Schubert, Deborah Wells, John Rau, Jeffrey Kaye and Casey Decker.

Absent: Julius Lowe

Decision: On July 15, 2021 the West Tisbury Zoning Board of Appeals voted to **GRANT** a Special Permit with **CONDITIONS** to Keith Bassett to rent five (5) bedrooms at what will be called the West Tisbury Inn at 1070 State Rd., Assessor's Map 32, Lot 90, VR District under Section 8.5-7 of the West Tisbury Zoning Bylaws.

Vote to Approve: Larry Schubert, Deborah Wells, John Rau, Jeffrey Kaye and Casey Decker.

Abstained: N/A

Findings:

- 1) The Inn has six (6) bedrooms but only five (5) may be rented at any given time.
- 2) The Inn will have six (6) delineated parking spaces.
- 3) Improvements being made are to the interior and grounds only.
- 4) The entire Inn is rented weekly to individual families in July and August.
- 5) The owner is aware of and agrees to comply with all requirements of Section 8.5-7 (Renting of Rooms).
- 6) A Special Permit was never required and therefore, Section 9.3-3 (Amendment of a Special Permit) was not acted upon in this application.
- 7) The project was reviewed and found to be compliant with bylaw section 9.2-2 Review Criteria.

Conditions: 1) The applicant will comply with all requirements of Section 8.2 (Parking) of the Zoning Bylaws.

**NOTE WELL: It is understood that the applicant will obtain all other permits or authorizations required by the Town of West Tisbury before proceeding with any work.
NO VARIANCE OR SPECIAL PERMIT SHALL TAKE EFFECT UNTIL:**

- 1. A period of twenty days has elapsed from the date of the filing of the Board's written Decision with the Town Clerk, and the applicant has received a copy of the Decision bearing the certification of the Town Clerk that a period of twenty days has elapsed from the filing of the Decision and that no appeal has been filed, or the appeal has been denied or dismissed. The **Certified Decision** is recorded at the Dukes County Registry of Deeds and the recording fee has been paid at the Dukes County Registry of Deeds. **Only Original Documents will be accepted at the Registry.****
- 2. A receipt for the recording stamped by the Dukes County Registry of Deeds has been returned to the **Building & Zoning Inspector of West Tisbury** or to the office of the **West Tisbury Board of Appeals** who will turn over the receipt to the Building and Zoning Inspector.**
- 3. The applicants may proceed with applying to the appropriate Town of West Tisbury Officers and Boards for any other development permits which may be required by law.**

Any person aggrieved by the Decision of the West Tisbury Board of Appeals may appeal to Superior Court and must notify the Town Clerk of the action and submit a copy of the complaint within twenty days after the decision has been filed in the office of the Town Clerk.

A Special Permit shall lapse in 2 years if not utilized. A Variance shall lapse in 1 year if not utilized.

The Building and Zoning Inspector may approve at his discretion, minor changes that come up during the building process. All major changes to the plans or significant material changes must be approved by the Zoning Board of Appeals. Please consult with the Inspector regarding any change. Failure to do so may nullify your permit and may require removal of the unapproved construction.

Filed with the West Tisbury Town Clerk on July 28, 2021

I certify that no appeal has been made
